



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

OPNAVINST 3120.46A
DNS
23 Jul 2015

OPNAV INSTRUCTION 3120.46A

Subj: UNITED STATES SHIP CONSTITUTION COMMAND RELATIONSHIPS AND
EMPLOYMENT

Ref: (a) National Defense Authorization Act for Fiscal Year
2010 (Public Law 111-84, 29 October 2009)
(b) USS Constitution Required Operational Capability and
Mission of 4 July 2006 (NOTAL)
(c) Public Law 83-523 (NOTAL)
(d) U.S. Navy Regulations, 1990
(e) Intra-governmental Support Agreement N40085-13-RP-
00115, 27 October 2014 (NOTAL)
(f) BUPERSINST 1610.10C
(g) MIL-STD-1625D, Safety Certification Program for
Drydocking Facilities and Shipbuilding Ways for U.S.
Navy Ships of 27 August 2009
(h) NSTM997 Docking Instructions and Routine
Work in Dry Dock
(i) SECNAVINST 5400.15C
(j) NAVSEAINST 5400.97C
(k) Public Law 93-431, 1 October 1974
(l) Adjudication of Final Ship Manpower Document (SMD)
for USS Constitution of 22 December 2006 (NOTAL)
(m) USS Constitution Strategic Plan 2007-2020 (NOTAL)
(n) OPNAVINST 5720.2M

Encl: (1) Timeline and List of Deliverables

1. Purpose

a. To provide guidance and direction to U.S. Navy activities directly involved with historic United States Ship (USS) Constitution commissioned vessel with restrictions, and to incorporate higher level guidance enacted by the U.S. Congress, as well as direction issued by the Secretary of the Navy and the Chief of Naval Operations (CNO) per references (a) through (n).

b. Changes to this revision include the responsibilities for Director, Naval History and Heritage Command (NAVHISTHERITAGECOM), Commander, Naval Sea Systems Command

(COMNAVSEASYSCOM), and Director, Naval History and Heritage Command Detachment Boston (NAVHISTHERITAGECOM DET BOSTON). This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 3120.46.

3. Background

a. USS Constitution is a living symbol of America's rich maritime history and is the centerpiece of a robust effort to promote longstanding relationships with the public. It does so through public access to the ship; active participation in public events and education of the Nation's youth; through its continued status as a commissioned U.S. Navy vessel; and through its unique status as the world's only 18th century warship (commissioned in 1797) still capable of limited sail. In aggregate, these efforts project a powerful message of America's deep affection for its maritime heritage and for this particular ship, appropriately nicknamed "Old Ironsides."

b. Establishing USS Constitution's esteemed historical significance to the United States, Congress designated her as "America's Ship of State" in 2009 per reference (a). Adjunct to her primary mission of education and public outreach, Congress' intent was the President, Vice President, executive branch officials, and members of Congress should use USS Constitution for the conduct of pertinent matters of state, such as hosting visiting heads of state, signing legislation related to the Armed Forces of the United States, and signing maritime related treaties.

4. Objectives

a. Promote awareness of the history and importance of USS Constitution and the U.S. Navy through public access and outreach efforts.

b. Assign responsibility and accountability to supporting commands for USS Constitution and her associated facilities across the range of missions set forth in reference (b).

c. Establish interagency support requirements for USS Constitution.

d. Enable and facilitate the utilization of USS Constitution in her capacity as "America's Ship of State."

e. Properly maintain USS Constitution, the oldest commissioned warship afloat in the world.

5. Assumptions

a. USS Constitution will remain in commission, but not for active service.

b. USS Constitution will retain the capability of limited underway sailing demonstrations.

c. USS Constitution will retain her saluting batteries and therefore the designation as a saluting ship.

d. USS Constitution will continue to be crewed by active duty U.S. Navy personnel.

e. USS Constitution will continue to be homeported in Boston, Massachusetts as directed by reference (c).

6. Discussion. USS Constitution's unique status necessitates uncommon levels of federal, state, and local cooperation. While the commanding officer is ultimately accountable, a wide variety of supporting commands and partners are needed to ensure the ship and crew are able to maintain the capabilities outlined in reference (b), and to successfully accomplish all assigned missions and tasks. This instruction requires the establishment of memoranda of agreements (MOA) between these supporting commands and partners to formally establish the oversight and support the USS Constitution requires.

7. Responsibilities and Relationships. In order to ensure maximum historic availability of USS Constitution, all commands must endeavor to accomplish their respective roles and responsibilities as defined in this instruction.

a. Director, Navy Staff (DNS)

(1) Per references (d) and (e), serve as the immediate superior in command for USS Constitution and be responsible for

all matters pertaining to the ship and associated support facilities as defined by public laws, regulations, and policies.

(2) Act as the resource sponsor for the ship and for the maintenance detachment.

(3) Serve as the commanding officer's reporting senior and submit fitness reports per reference (f).

(4) Provide appropriate supervision and oversight of the following USS Constitution programs:

- (a) Command career counselor and career development programs;
- (b) Sailor of the Year;
- (c) Public Affairs;
- (d) Urinalysis Program;
- (e) Physical Readiness Program;
- (f) Sexual Assault and Prevention Response Program;
- (g) Individual Medical Readiness Program;
- (h) Sponsor Program;
- (i) Voter Assistance Program;
- (j) Command Managed Equal Opportunity Program; and
- (k) Other Sailor and family programs as appropriate.

(5) Provide legal support as required.

(6) Approve all requests for utilization of USS Constitution in her capacity as "America's Ship of State."

(7) Serve as the primary review and approval authority for personal and command level awards that exceed the authority of the commanding officer.

(8) Act as USS Constitution's manpower control authority.

(9) Act as final reviewer and approval authority for all MOAs related to management of USS Constitution.

b. Director, Field Support Activity (FSA)

(1) Act as the budget submitting office (BSO) and principal administering office for the ship. USS Constitution's budget is within the FSA and BSO 11 authorization.

(2) Provide USS Constitution's annual operating target and consumable funding to the command via DNS.

c. Director, NAVHISTHERITAGECOM

(1) Liaise with USS Constitution working group members and provide historical and period support and oversight to ensure all work and restoration projects maintain the ship in as close to her original condition, but not for active service, as practicable per reference (b).

(2) Provide oversight of Director, NAVHISTHERITAGECOM DET BOSTON.

(3) In compliance with reference (b), review work execution methods for compliance with the integrity of the ship's material condition, and report any discrepancies and recommended changes to COMNAVSEASYSCOM for adjudication.

(4) Review and provide recommendations to DNS for approval of changes to the 1813 uniforms worn by the crew to ensure historical accuracy.

d. COMNAVSEASYSCOM

(1) Serve as the technical authority for all matters relating to USS Constitution.

(a) Per references (g) and (h) chapter 997, provide technical oversight and authorization of Boston National Historic Park, Graving Dock No. 1 for maintenance and dry dock of USS Constitution for each dry docking in Graving Dock No. 1.

(b) Per references (i) and (j), provide technical oversight of USS Constitution for routine maintenance and repair evolutions and underway operational restrictions.

(2) Retain the planning yard function for USS Constitution.

e. Director, NAVHISTHERITAGECOM DET BOSTON

(1) Develop and implement a USS Constitution class maintenance plan and technical foundation paper, in coordination with partners and technical authorities.

(2) Develop production readiness review inputs for informing the program objective memorandum process.

(3) Conduct an annual material inspection of the ship. Forward the results along with the new and previous version of the current ship maintenance project (CSMP) to Commanding Officer, USS Constitution; Director, NAVHISTHERITAGECOM; and COMNAVSEASYSCOM Ship Design Manager.

(4) Submit all maintenance deferral requests to the appropriate technical authority.

(5) Manage the NAVHISTHERITAGECOM DET BOSTON civilian personnel assigned to USS Constitution, to ensure a staff of skilled artisans is perpetually maintained to accomplish required work.

(6) Coordinate with appropriate technical authorities and partners to ensure proper oversight and controls for all work performed on USS Constitution are in place.

(7) Liaise with Director, NAVHISTHERITAGECOM to ensure all restoration projects maintain the ship as close to her original condition, but not for active service, as practicable per reference (b).

(8) Provide proposed budgets with supporting justifications and partner input to Director, NAVHISTHERITAGECOM.

(9) Develop estimates and plans for NAVHISTHERITAGECOM DET BOSTON's workforce size, facilities, capabilities, credit card, and planned capital equipment purchases, with appropriate partner input, and provide to Director, NAVHISTHERITAGECOM.

(10) Act as requesting organization for procurement of approved minor property and industrial plant equipment per federal law, and with Director, NAVHISTHERITAGECOM approval, as required.

(11) Ensure compliance with all environmental permits, where the permitted process relates to the industrial mission of USS Constitution for operations under control of NAVHISTHERITAGECOM DET BOSTON.

(12) Maintain appropriate Navy safety and occupational health program compliance by NAVHISTHERITAGECOM DET BOSTON employees.

(13) In consultation with commanding officer, USS Constitution, submit an annual ship's maintenance plan, developed in coordination with the ship's employment plan, which incorporates the results of the annual material inspection and items from the CSMP in alignment with the appropriate technical authority: DNS via Director, NAVHISTHERITAGECOM. At a minimum, the plan must address:

(a) Summary of the previous year's activities;

(b) Unresolved issues;

(c) Program shortfalls, including equipment, material, and manpower, that affect the repair and upkeep of USS Constitution; and

(d) Proposed maintenance schedule for the coming year.

(14) Perform the duties of ship maintenance officer with administrative oversight provided by Director, NAVHISTHERITAGECOM in consultation with the technical authority.

(15) Provide docking order to COMNAVSEASYSCOM, per references (g) and (h) chapter 997, for all USS Constitution dry docking evolutions.

f. Commander, Navy Installations Command (CNIC). Provide funding for items identified in reference (e).

g. Commander, Naval Facilities Engineering Command (NAVFACENGCOM). Provide support per reference (e).

h. Commander, Naval Health Clinic New England. Provide oversight of USS Constitution's medical department and independent duty corpsman.

i. Commanding Officer, USS Constitution

(1) In coordination with the appropriate agencies, establish MOAs and intra-governmental support agreements with Department of the Navy (DON) and Non-DON agencies as required for conduct of mission. If funding is involved, the appropriate DON command must be the final approval authority of any such agreement. Agreements currently required are (but are not limited to):

(a) Naval Health Clinic New England;

(b) National Park Service (see references (k) and (e));

(c) U.S. Coast Guard Base, Boston; and

(d) USS Constitution Museum.

(2) At a minimum, schedule the following inspections:

(a) Supply management inspection;

1. Ney award

2. Galley safety

(b) External morale, welfare, and recreation audit;

(c) Medical readiness;

- (d) Command career counselor;
- (e) Safety survey; and
- (f) Industrial hygiene survey.

(3) Receive direction from CNO and DNS for the conduct of potential America's Ship of State events.

(4) Schedule, approve or disapprove, and facilitate external agency requests for utilization of USS Constitution and her crew.

(5) Request crew manning levels per reference (1).

(6) Support the Navy office of community outreach through participation in Navy weeks as practicable.

8. Partnerships. USS Constitution's berth in the Charlestown Navy Yard of the Boston National Historic Park presents several unique challenges. With the exception of the ship, all areas occupied by the command are leased from the National Park Service. This requires USS Constitution to establish and maintain formal relationships with several non-Department of Defense agencies. These include:

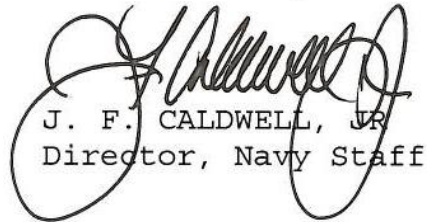
- a. National Park Service;
- b. U.S. Coast Guard;
- c. Massachusetts National Guard;
- d. Massachusetts State Police;
- e. Boston Police Department;
- f. Boston Fire Department;
- g. Boston Emergency Medical Services; and
- h. USS Constitution Museum.

9. Review. This instruction must be reviewed and updated as conditions dictate, but not later than 3 years from the date of

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issue and triennially thereafter. Commanding Officer, USS Constitution and Director, NAVHISTHERITAGECOM will be responsible for coordinating reviews and recommending updates to DNS.

10. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of January 2012.



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TIMELINE AND LIST OF DELIVERABLES

<u>DATE</u>	<u>COGNIZANT</u>	<u>ACTION</u>
1 Oct	DET BOSTON	Submit annual ship's maintenance plan to COMNAVSEASYS COM for review.
1 Nov	DET BOSTON	Submit ship's workforce size, facilities, capabilities, credit card, and planned capital equipment purchases to DNS via NAVHISTHERITAGECOM.
1 Nov	CNIC	Submit annual USS Constitution facilities budget to DNS. NAVFACENGCOM is execution agent.
1 Nov	USS Constitution	Submit requirements for determination of annual funding levels to DNS.
1 Dec	DET BOSTON	Submit annual ship's maintenance plan (budget) to DNS via NAVHISTHERITAGECOM.
1 Dec	USS Constitution	Submit ship's annual employment plan to DNS.

Enclosure (1)